

FORM PTO-1083

Attorney Docket No.: 102.0003-04000  
Customer No. 22862

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 05 2009

In re application of:

Gary Karlin Michelson

Serial No: 09/626,636

Filed: July 27, 2000

For: A GUARD FOR USE IN PERFORMING  
HUMAN INTERBODY SPINAL  
SURGERY

Confirmation No. 6124

Art Unit: 3731

Examiner: Ryan J. Severson

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Further to the Notice of Appeal filed January 6, 2009, transmitted herewith is a Request for Continued Examination in the above-identified application.

- ☐ No additional fee is required.
- ☒ A Petition for Extension of Time Under 37 C.F.R. § 1.136(a) (Form PTO/SB/22) for five months is enclosed.
- ☒ An Information Disclosure Statement Under 37 C.F.R. § 1.97(b) with Form PTO/SB/08 and three documents are enclosed.
- ☒ The total amount of \$3,160.00 to cover the \$2,350 five -month extension fee and \$810 RCE fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLPDate: August 5, 2009By:   
Thomas H. Martin  
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